

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	8:09CR233
)	
IVAN LOPEZ-BECERRA,)	ORDER
)	
Defendant.)	

This matter is before the court on the government's motion to continue trial (Doc. 29) due to the unavailability of an essential witness. For good cause shown, trial will be continued to October 6, 2009.

IT IS ORDERED that the motion is granted, as follows:

1. The jury trial now set for September 1, 2009 is continued to October 6, 2009.

2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **September 1, 2009 and October 6, 2009**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant the requested continuance would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice.
18 U.S.C. § 3161(h)(8)(A) & (B)(i).

DATED August 31, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**